



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5  
77 WEST JACKSON BOULEVARD  
CHICAGO, IL 60604-3590

EPA Region 5 Records Ctr.



348134

REPLY TO THE ATTENTION OF:

C-14J

July 18, 2007

Robert M. Baratta, Jr.  
Freeborn & Peters LLP  
311 South Wacker Drive  
Chicago, IL 60606

Edward Walsh III  
Reed Smith LLP  
10 South Wacker Drive  
Chicago, IL 60606-7507

Re: Lindsay Light II/DuSable Park

Dear Mr. Baratta and Mr. Walsh

Thank you for meeting with U.S. EPA on June 28, 2007 to explain the conditions at DuSable Park. As you are aware, due to the presence of elevated radioactive thorium contamination, soils should not be intruded in, moved or removed from the area without proper precautions, including applying and receiving a permit from the Chicago Department of Environment, radiation surveillance, disposal arrangements for thorium contaminated soils, and informing U.S. EPA of such upcoming activities.

You explained that Shelbourne Development, the developer conducting the work at DuSable Park up to June 28 scraped soil back less than 18 to 24 inches deep for a distance of 10 feet from the sea wall. You also explained that the developer has not conducted any work on the mounded area and that all soils remained on site. We trust the developer will not disturb any additional soils without first notifying U.S. EPA, submitting a workplan, and conducting radiation monitoring during excavation.

During the meeting you stated that no soils or any other debris or materials were removed from the property. U.S. EPA requested and you agreed to provide the following:

1. an explanation of how the developer moved the jersey barriers onto the site;
2. a description of the soils and vegetation that were located in the perimeter around the site;

3. a description of where the soils and vegetation from the perimeter are now located;
4. a description of the type of equipment used to move the soils and vegetation from the perimeter to its current location;
5. a description of how the soils and vegetation from the perimeter were moved to their current location;
6. the dates the developer conducted the above described work;
7. the number of workers on site during the dates work was conducted;
8. a description of whether the developer or any agents applied for and obtained a permit from the Chicago Department of Environment; if yes, please provide a copy of such permit.

Please provide this information by August 1, 2007. If you have any question please contact me at (312) 886-7166 or Mary Fulghum at (312) 886-4683.

Sincerely,



Cathleen R. Martwick

cc: Mary Fulghum  
Verneta Simon  
Gene Jablonowski